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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

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10 Attorneys for Plaintiff

11 **GREAT AMERICAN LIFE INSURANCE COMPANY**12 **UNITED STATES DISTRICT COURT**13 **CENTRAL DISTRICT OF CALIFORNIA**14 GREAT AMERICAN LIFE INSURANCE )  
15 COMPANY, an Ohio corporation, )

16 Plaintiff, )

17 vs. )

18 ERIC CARL KREIS, an individual; PETER )  
19 ZAMBOUROS, as executor of the ESTATE )  
20 OF POLLY KESSEN; and DOES 1 through )  
21 10, Inclusive, )22 Defendants. )  
23 )  
24 )  
25 )

CASE NO.

COMPLAINT FOR  
INTERPLEADER AND  
INJUNCTIVE RELIEF26 **NATURE OF CLAIM**27 1. Plaintiff Great American Life Insurance Company ("GALIC") brings this  
28 complaint for interpleader and injunctive relief against Eric Carl Kreis, an individualLOCKE LORD LLP  
300 South Grand Avenue, Suite 2600  
Los Angeles, CA 90071

COPY

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Los Angeles, CA 90071

1 (“Kreis or Named Beneficiary”) and Peter Zambouros, in his capacity as Executor of  
2 the Estate of Polly Kessen (“The Estate”), and DOES 1 through 10, inclusive,  
3 regarding a dispute over who should receive death benefits under a particular annuity  
4 contract.

### 5 PARTIES

6 2. GALIC is a corporation organized and existing under the laws of the  
7 State of Ohio with its principal place of business in the State of Ohio.

8 3. On information and belief, defendant Kreis is an individual residing in  
9 Ventura County, California, is the former spouse of the decedent insured, and is listed  
10 as the beneficiary of the subject annuity contract.

11 4. On information and belief, defendant Peter Zambouros is an individual  
12 residing in Queens County, New York and has been appointed as the Executor of the  
13 Estate of Polly Kessen, the deceased annuitant.

14 5. The true names and capacities, whether individual, corporate, associate or  
15 otherwise, of Defendant DOES 1 through 10, inclusive, are unknown to GALIC who  
16 therefore sues said defendants by such fictitious names. GALIC will amend this  
17 complaint to allege their true names and capacities when ascertained. GALIC is  
18 informed and believes and thereon alleges that each of these fictitiously named  
19 defendants is making or has a claim to the funds herein described which is conflicting  
20 with the claims of defendants herein and which may subject GALIC to vexatious  
21 litigation with respect to such funds. GALIC is informed and believes and thereon  
22 alleges that DOES 1 through 10 are residents and citizens of the State of California.

### 23 JURISDICTION AND VENUE

24 6. The Court has subject matter jurisdiction over this controversy pursuant  
25 to the principles set forth in 28 U.S.C. § 1335 as the value of the property at issue  
26 exceeds \$500.00 and in that plaintiff is a resident of the state of Ohio, while at least  
27 one defendant is a resident of California, and, defendants have adverse claims.

28 7. This Court has personal jurisdiction over this matter in that defendants

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1 are making claims regarding an annuity contract issued in California to a California  
2 annuitant.

3 8. Venue is appropriately placed in the Central District of California  
4 pursuant to 28 U.S.C. § 1391 as at least one claimant resides in this judicial district.

5 **FACTS**

6 9. Decedent Polly Kessen (the “Annuitant” or “decedent”) was the owner  
7 and annuitant under a tax qualified, flexible premium GALIC deferred annuity,  
8 GALIC Contract No. 04314308, which was issued in the State of California with an  
9 effective date of April 15, 1987 (the “Annuity”). Annuitant initially paid \$2,000 (Two  
10 Thousand Dollars). The application for the Annuity listed Eric Carl Kreis as the  
11 Beneficiary of the Annuity and did not list any contingent beneficiaries. At the time,  
12 Polly Kessen and Eric Kreis were residents of California. GALIC is now in the  
13 possession and control of the death benefits due under the Annuity as well as any  
14 unprocessed premium, unapplied cash and accrued interest which may apply, the total  
15 of which constitutes the total death benefits payable under the Annuity.

16 10. On information and belief, Annuitant died on or about December 8, 2006,  
17 and the death benefits under the Annuity at that time of \$12,319.44 became due and  
18 payable.

19 11. On or about November 5, 2010, the Estate notified GALIC of  
20 Annuitant’s death and advised that Kreis had pre-deceased Annuitant. GALIC  
21 notified the Estate that if Kreis died more than 30 days after Annuitant, Kreis’ estate  
22 would be entitled to the proceeds. Pursuant to GALIC’s request, the Estate was  
23 unable to provide a copy of Kreis’ death certificate.

24 12. On or about April 17, 2012, the Estate filed a claim for the proceeds of  
25 the Annuity.

26 13. On March 28, 2013, Kreis contacted GALIC by phone during which call  
27 GALIC was first notified that Kreis was not deceased.

28 14. On or about May 3, 2013, Kreis filed a claim for the proceeds of the

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 Los Angeles, CA 90071

1 Annuity.

2 15. On information and belief, pursuant to the Judgment of Dissolution of  
 3 Marriage dated July 11, 2003 in connection with Kreis' and Annuitant's divorce  
 4 proceedings, the Annuity was awarded to Annuitant. On information and belief,  
 5 Annuitant did not modify the beneficiary status of the Annuity, and Kreis remained  
 6 the primary beneficiary of the Annuity.

7 16. Defendants' demands and potential demands upon GALIC for all or part  
 8 of the money described in paragraph ten herein are conflicting, including: a demand  
 9 by Kreis and by the Estate.

10 17. GALIC therefore brings this action for interpleader pursuant to 28 U.S.C  
 11 section 1335 and the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") Rule 22 in  
 12 that defendants' conflicting claims and interests subject GALIC to multiple liability.

### 13 CLAIM FOR RELIEF

14 18. GALIC is unable to determine the validity of the conflicting independent  
 15 demands made by certain defendants as set forth herein and cannot determine to  
 16 whom the death benefits due under the Annuity are payable.

17 19. GALIC would be subject to multiple liability if the death benefits due  
 18 under the Annuity, or any portion thereof, was delivered to any defendants listed  
 19 herein.

20 20. GALIC claims no interest in the death benefits described in paragraph ten  
 21 herein and shall deposit the death benefits due under the Annuity with the clerk of this  
 22 Court pursuant to Fed. R. Civ. P. Rule 67.

23 21. GALIC has incurred costs and reasonable attorney's fee in connection  
 24 with these proceedings and may incur additional costs and fees hereafter.

25 ///

26 ///

27 ///

28 ///

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Los Angeles, CA 90071

1 WHEREFORE, GALIC prays judgment as follows:

- 2 (1) That defendants and each of them be ordered to interplead and  
3 litigate their claims to any portion of the benefits due under the  
4 Annuity;
- 5 (2) That GALIC be discharged from liability to each of said  
6 defendants with respect to said money described in paragraph ten  
7 of this complaint;
- 8 (3) That an injunction issue pursuant to 28 U.S.C. § 2283 enjoining  
9 any pending or future proceedings against GALIC by any and all  
10 defendants in any other court related to this matter;
- 11 (4) That GALIC be awarded costs and reasonable attorney's fees as  
12 determined by the Court and to be paid to GALIC from the  
13 described funds hereafter deposited in accordance with the Court's  
14 instructions; and,
- 15 (5) For such other and further relief as the Court deems just and  
16 proper.

17  
18 Dated: October 9, 2013

Respectfully submitted,

19  
20 LOCKE LORD LLP

21  
22 By: 

23 Mitchell J. Popham

Lilian M. Khanjian

24 Attorneys for Plaintiff **GREAT**  
25 **AMERICAN LIFE INSURANCE**  
26 **COMPANY**  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Philip S. Gutierrez and the assigned Magistrate Judge is Alka Sagar.

The case number on all documents filed with the Court should read as follows:

2:13-CV-7481-PSG (ASx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

October 9, 2013

Date

By MDAVIS

Deputy Clerk

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NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**



Mitchell J. Popham (SBN: 126194)

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Telephone: 213.485.1500; Facsimile: 213.485.1200

Attorneys for Plaintiff

GREAT AMERICAN LIFE INSURANCE COMPANY

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

GREAT AMERICAN LIFE INSURANCE  
COMPANY, an Ohio corporation,

PLAINTIFF(S)

v.

ERIC CARL KREIS, an individual; PETER  
ZAMBOUROS, as executor of the ESTATE OF  
POLLY KESSEN; and DOES 1 through 10, Inclusive

DEFENDANT(S).

CASE NUMBER

**CV13-07481-PSG(AS)****SUMMONS**

TO: DEFENDANT(S): ERIC CARL KREIS, an individual; PETER ZAMBOUROS, as executor of the ESTATE OF POLLY KESSEN; and DOES 1 through 10, Inclusive

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Mitchell J. Popham, whose address is 300 South Grand Avenue, Suite 2600, Los Angeles, California 90071. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: OCT - 9 2013

Clerk, U.S. District Court

By: Marilyn Dan

Deputy Clerk

(Seal of the Court)



1227

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]



UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

I. (a) PLAINTIFFS ( Check box if you are representing yourself ☐ )  
GREAT AMERICAN LIFE INSURANCE COMPANY, an Ohio corporation

DEFENDANTS ( Check box if you are representing yourself ☐ )  
ERIC CARL KREIS, an individual; PETER ZAMBOUROS, as executor of the ESTATE OF POLLY KESSEN; and DOES 1 through 10, Inclusive

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)  
Mitchell J. Popham (SBN: 126194); Lilian Khanjian (SBN: 259015)  
LOCKE LORD LLP  
300 South Grand Avenue, Suite 2600  
Los Angeles, California 90071  
Telephone: 213.485.1500; Facsimile: 213.485.1200

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

## II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff  
☐ 2. U.S. Government Defendant  
☒ 3. Federal Question (U.S. Government Not a Party)  
☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. ORIGIN (Place an X in one box only.)

- ☒ 1. Original Proceeding  
☐ 2. Removed from State Court  
☐ 3. Remanded from Appellate Court  
☐ 4. Reinstated or Reopened  
☐ 5. Transferred from Another District (Specify)  
☐ 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No  
MONEY DEMANDED IN COMPLAINT: \$ fees

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
28 USC 1335 Interpleader Action for Annuity Death Benefits

## VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input checked="" type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<b>Habeas Corpus:</b>	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee Sentence	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<b>PERSONAL PROPERTY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 530 General	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<b>Other:</b>	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<b>REAL PROPERTY</b>	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<b>LABOR</b>	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
		<input type="checkbox"/> 369 Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
		<input type="checkbox"/> 370 Personal Injury Product Liability	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV13-07481



## CIVIL COVER SHEET

**VIM. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b> <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D  Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	<b>C.2. Is either of the following true? If so, check the one that applies:</b> <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C  Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

<b>Question D: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Western



## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

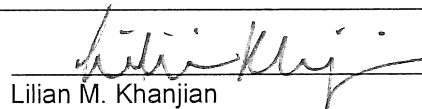
If yes, list case number(s): \_\_\_\_\_

## Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

## X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT):



Lilian M. Khanjian

DATE: October 9, 2013

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

## Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

